

**STATE OF CALIFORNIA
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD
MINUTES OF THE PUBLIC MEETING & CLOSED SESSION
Held on March 21, 2012
Sacramento, California**

PRESENT:

Art R. Carter, Chairperson
Ed Lowry, Board Member
Michael Wimberly, Executive Officer
Ursula Clemons, Presiding Administrative Law Judge
Martin Fassler, Presiding Administrative Law Judge
Jeff Mojcher, Chief Counsel
Kari Johnson, Industrial Relations Counsel III
Thomas Song, Industrial Relations Counsel II
Phyllis Eldredge, Staff Services Analyst
Lee Berlin, Executive Secretary

MINUTES OF MARCH 7, 2012:

(Approval of minutes recording actions of previous Board meeting)

ACTION: Member Lowry moved that the Board approve the draft minutes of the March 7 Board meeting for posting. Chairperson Carter seconded. The Board voted to approve the draft minutes of the March 7, 2012 Board meeting for posting.

ADMINISTRATIVE MATTERS:

(Information regarding the general administration of matters pending before the Appeals Board)

1. STATISTICS

(Review and discuss most current Board Statistics)

ACTION: Executive Officer Wimberly discussed the Board statistics through February, 2012.

a. YEARLY STATISTICS

ACTION: No report.

2. 2012 RULEMAKING MATTERS

(Discuss potential Board rulemaking changes)

ACTION: No report.

NEW BUSINESS:

(The Appeals Board hears and/or discusses new matters brought before the members.)

1. 2011/2012 BUDGET

(Review and discuss budget issues for the next fiscal year)

ACTION: Executive Officer Wimberly reported on the budget.

2. ELECTRONIC APPEALS BOARD REGULATORY BOOKLET

ACTION: Executive Officer Wimberly reported on progress toward an electronic version of the Board regulations booklet, and thanked Lee Berlin for her work on the project.

OLD BUSINESS

(The Appeals Board hears and/or discusses matters on a follow-up basis.)

ACTION: No report.

LEGISLATION:

ACTION: Chairperson Carter reported on pending legislative proposals.

CHAIRPERSON'S REPORT:

ACTION: Chairperson Carter reported that he will be attending a meeting next week with a representative of the Federal OSHA program.

BOARD MEMBER'S REPORT:

ACTION: No report.

EXECUTIVE OFFICER'S REPORT:

ACTION: Executive Officer Wimberly reported on the status of the project to hold hearings via videoconference, and thanked PALJs Martin Fassler and Ursula Clemons for their efforts in moving the project forward.

STAFF REPORTS:

ACTION: Chief Counsel Mojcher reported that the rulemaking working group will meet on April 5 at the Board's Sacramento office.

PUBLIC COMMENT:

ACTION: No report.

The Board recessed to its Closed Session.

DECISIONS OF ADMINISTRATIVE LAW JUDGES:

PAUL RUSH DBA CAL PAINTING, 10-R1D1-1268 THROUGH 1272

ACTION: Member Lowry moved that the Board approve this Decision of an Administrative Law Judge. Chairperson Carter seconded the motion. The Board voted to approve this Decision of an Administrative Law Judge.

DECISIONS AFTER REMAND:

JOSEFF-HOLLYWOOD, 09-R6D2-3914 THROUGH 3919

ACTION: Member Lowry moved that the Board approve this Decision after Remand of an Administrative Law Judge. Chairperson Carter seconded the motion. The Board voted to approve this Decision after Remand of an Administrative Law Judge.

ORDERS OF ADMINISTRATIVE LAW JUDGES:

99 CENT STORE, 10-R2D4-3137

A-1 MARTINS AUTOBODY & FRAME, 11-R6D7-0399 *

AGILENT TECHNOLOGIES, 11-R1D5-2840 THROUGH 2844 *

ALTAIR STRICKLAND, 11-R6D3-1823 AND 1824 *

AMANPUR INVESTMENTS LCC, 12-R3D3-0130 THROUGH 0135

ANDERSON PACIFIC ENGINEERING CONSTRUCTION INC., 10-R1D2-2965 AND 2966 *
ARB, INC., 10-R1D1-3267

ARMOUR STEEL CO., INC., 09-R2D1-0208

A TOUCH OF HEAVEN INC. 10-R2D1-3624

CACIQUE, INCORPORATED, 11-R6D2-1281 THROUGH 1285

JACK C CARMENITA DBA MR. ROOTER, 10-R1D2-3319 THROUGH 3322

CENTRAL VALLEY ALMOND ASSOCIATION, 11-R4D3-2472

CERTIFIED COATINGS COMPANY, 10-R2D1-0803

CITY OF SANTA ROSA FIRE DEPARTMENT, 11-R1D5-3135

CLARK'S HARDWOOD FLOORS INC., 11-R1D2-1191 *

CLEMENT HURTADO, 10-R6D7-2866 *

CONTRA COSTA COUNTY, PUBLIC WORKS DEPARTMENT, 10-R2D2-3177 *

COSCO FIRE PROTECTION, 11-R3D2-0415 *

CR&R INC., 10-R3D1-3528 THROUGH 3531

DAIRY QUEEN, 09-R2D1-1862 AND 1863

DALLO & COMPANY, INC. DBA JONATHAN'S MARKET, 10-R3D2-3784 AND 3785

DENIM-TECH, LLC, 11-R6D2-1352 THROUGH 1359

DONAHUE SCHRIBER, 11-R3D2-1418

DUOCCUN AEROSTRUCTURES INC., 10-R4D1-3297

ECO FARMS AVOCADO COMPANY, 11-R3D2-2362 AND 11-R3D2-2451 *

EVERGREEN OIL, INC., 11-R6D3-1909 THROUGH 1912

FAIRMONT SIGN COMPANY, 11-R6D3-2759 AND 2760

J.H. FITZMAURICE, INC., 10-R1D4-2823 THROUGH 2825

FOLSOM READY MIX, INC., 09-R2D1-1367 THROUGH 1369

FREMONT UNIFIED SCHOOL DISTRICT, 10-R1D2-2361

FRICKE'S ELECTRICAL CONTRACTING, 10-R2D1-0552 *

FUTURE PLASTERING, 11-R6D7-2017

GB CONSTRUCTION, DBA GOLDENBEAR CONSTRUCTION CO.,
10-R4D1-3489 AND 3490

GEOENVIRONMENT TECHNOLOGIES, 11-R3D5-1268

GHILOTTI BROS. INC., 10-R1D1-2820

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

March 21, 2012

Page 4

GOLDEN GATE BRIDGE HIGHWAY & TRANSPORTATION DISTRICT,

10-R1D1-3971 AND 3972

GNEKOW FAMILY WINERY, LLC, 10-R6D1-3225 THROUGH 3228*

GRAVES 7 INC. DBA PREFERRED PLUMBING & DRAIN, 09-R2D1-3638 AND 3639

GREAT VALLEY LABOR SERVICES, 10-R2D5-3693

GUADALUPE DE LA TORRE DBA NEW GROWERS NURSERY, 10-R6D7-2959 AND 2960

HESS CONCRETE CONSTRUCTION CO., INC., 10-R2D2-2328

HOUWELING NURSERIES OXNARD, INC., 11-R4D3-2181 AND 2182

IMAGING TECHNOLOGY DELIVERY DBA RHINOTEK COMPUTER PRODUCTS,

11-R3D5-1385

JJ CONSTRUCTION, 10-R4D1-3463 AND 3464

JONELL CONSTRUCTION, 11-R3D1-0505 AND 0506

KAISER PERMANENTE VALLEJO, 10-R2D2-3582

KUELPER CONSTRUCTION, 09-R2D1-2398 AND 2399

LAKSH ENTERPRISES, INC., 11-R3D6-2674

WENWAI LIN DBA GLOBIA DESIGN GROUP, 10-R6D7-2249 AND 2250

LIVE NATION ENTERTAINMENT, INC., 12-R1D3-0073

L&M INC. DBA DIABLO FORD OF PITTSBURG, 10-R2D2-3816

LEGACY FRAMERS, INC., 11-R2D2-1411 THROUGH 1412

LOS GATOS CONSTRUCTION COMPANY, INC. 10-R1D1-3135 *

MINERAL RESOURCES LLC, 11-R5D1-2240

MR. ROOFING, 11-R6D2-2883

CHARLES IAN MONTGOMERY CONSTRUCTION, 10-R6D7-2814 AND 2815

NATIONAL STEEL AND SHIPBUILDING COMPANY, 11-R6D2-0988

NET-COM SERVICES, 11-R1D3-3133 AND 3134 *

NETTO AG, INC., 10-R2D5-1134 AND 1135 *

M. KEVIN O'NEILL CONSTRUCTION CO. INC., 11-R6D2-2877

BENJAMIN LOPEZ ORTEGA DBA BENJAMIN LOPEZ FARM LABOR,

09-R2D4-4110 AND 4111 *

PACHECO BROTHERS, INC., 10-R6D7-2380

PERFORMANCE TEAM FREIGHT SYSTEMS, INC., 11-R3D6-2973 *

DIEM T. PHAN DBA ALAMEDA AUTO BODY, 10-R6D7-2771

PIONEER AMERICAS LLC DBA OLIN CHLOR ALKALI PRODUCTS,

11-R6D3-0861 AND 0862

PIRANHA PRODUCTS, 11-R6D2-0219 THROUGH 0221 *

PLACER COUNTY WATER AGENCY, 11-R6D3-2149

POTTER VALLEY COMMUNITY UNIFIED SCHOOL, 10-R1D5-2777

QC FINANCIAL SERVICES, INC. DBA CALIFORNIA BUDGET FINANCE,

11-R4D3-1820

RAC NATIONAL PRODUCT SERVICE LLC, 11-R2D1-2075 AND 2076

NITA RICCARDI, INDIVIDUALLY AND DBA WINNING COLORS, WINNING COLORS

PAINTING, AND WINNING COLORS PAINTING & DECORATING,

11-R1D1-1722 AND 1723

RJL LABOR SERVICES, INC., 11-R6D7-2556

CESAR A. VERDUZCO RUIZ DBA BAJA BOYZ AUTO & TIRE REPAIR, 11-R6D5-2986

KUAY TIHN SAECHAO DBA KUAYS STRAWBERRY STAND, 11-R3D3-0416

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

March 21, 2012

Page 5

SAF-T-CO SUPPLY, 11-R3D1-0102 AND 11-R3D1-0341
SAN GABRIEL VALLEY WATER COMPANY, 11-R3D6-2745
SANTA ROSA CITY SCHOOL DISTRICT, 10-R1D5-3503
SARA LAEE CORPORATION, 11-R3D6-2675
SATICOY BERRY FARMS, INC., 11-R4D3-2513 AND 2514
SEACORE INDUSTRIAL INC., 11-R4D2-1229 THROUGH 1230
SERRA GARDENS, 11-R3D2-1054 AND 1055
SEVEN Cs ERECTORS, 11-R3D2-1416 AND 1417
SF-PUC WASTEWATER ENTERPRISE, 10-R1D1-1841
SIERRA PACIFIC INDUSTRIES, 10-R2D1-0032
SIERRA PACIFIC INDUSTRIES, 10-R2D1-0264
SISKIYOU FOREST PRODUCTS, 11-R2D3-0988
S&K CONSTRUCTION GROUP DBA MCLELLAN CONSTRUCTION, 11-R3D2-1087
T.W. SMITH CO., 10-R1D2-3001
SONORAN ROOFING INC., 10-R1D4-3059
STONERIDGE PROPERTIES, LLC, 10-R1D4-2537
SUN GIR INC. DBA CARL'S JR. #7382, 10-R4D2-2846 AND 2847
SUNRISE EXCAVATING, 10-R2D1-0479 AND 0480
SUNSHINE METALS, INC., 11-R3D1-2030 AND 2031
HENRIETTA TAM DBA DRAGON SEED & BRIDAL PHOTOGRAPHY, 10-R6D7-3922
JEWEL & ARAXIE TAYLOR DBA AUTO SPORT PRO BODY SHOP,
11-R6D7-1764 AND 1765
TCR NC CONSTRUCTION, INC., 10-R2D1-1843
A. TEICHERT & SON INC. DBA TEICHERT AGGREGATES, 09-R5D1-3145 *
THE NEW FRENCH BAKERY, 11-R6D2-2880 THROUGH 2882
THERMA, CORP., 11-R1D3-0695
TOM'S DISCOUNT TIRE CENTER INC., 11-R3D5-1345
TWIN DRAGON RESTAURANT, 11-R3D1-0706
JOSE UMANA DBA JOSE UMANA EXCAVATING, 11-R4D2-1427 AND 1428
UNITED STATES PIPE & FOUNDRY COMPANY, LLC, 11-R1D4-0590
UNIVERSAL CONCRETE BREAKERS, 11-R6D2-1324
VALLEJO CITY UNIFIED SCHOOL DISTRICT,
10-R2D2-2068 THROUGH 2070
VINO FARMS INC., 10-R2D1-0959 THROUGH 0961
VINTAGE PAVING CO., INC., 09-R2D1-0504
WAGNER RUBBER PRODUCTS, 11-R4D2-1206 AND 1207
WASTE MANAGEMENT OF ALAMEDA COUNTY, INC., 10-R1D4-3350 AND 3351
WET WAYS AUTO BODY & PAINT, 10-R6D7-3345
WOLFGANG PUCK WORLDWIDE INC., 11-R4D1-1203
YASUDA TREE NURSERY, 11-R3D2-3068 AND 3069
ZIVCO CORPORATION, INC., DBA METAL BUILDING COMPANY, 10-R2D2-2223

ACTION: Member Lowry moved that the Board approve these Orders of Administrative Law Judges. Chairperson Carter seconded. The Board voted to approve these Orders of Administrative Law Judges. Orders with asterisks are deemed approved as amended.

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

March 21, 2012

Page 6

HYDRO-SCIENCE OPERATIONS, INC., 10-R1D2-0389

ACTION: Member Lowry moved that the Board approve this Order of an Administrative Law Judge. Chairperson Carter seconded. The Board voted to approve this Order of an Administrative Law Judge.

A-1 PROTECTIVE SERVICES, INC., 10-R1D1-1592

ACTION; Member Lowry moved that the Board reconsider this Order of an Administrative Law Judge. Chairperson Carter seconded. The Board voted to reconsider this Order of an Administrative Law Judge on its own motion.

CENTRAL VALLEY ENGINEERING & ASPHALT, INC., 08-R2D1-5001 AND 5002

ACTION; Member Lowry moved that the Board reconsider this Order of an Administrative Law Judge. Chairperson Carter seconded. The Board voted to reconsider this Order of an Administrative Law Judge on its own motion.

DENIO'S ROSEVILLE FARMERS MARKET & AUCTION INC., 11-R2D1-2431

ACTION; Member Lowry moved that the Board reconsider this Order of an Administrative Law Judge. Chairperson Carter seconded. The Board voted to reconsider this Order of an Administrative Law Judge on its own motion.

SDUSD-PATRICK HENRY HIGH SCHOOL, 11-R3D2-1296 AND 1297

ACTION; Member Lowry moved that the Board reconsider this Order of an Administrative Law Judge. Chairperson Carter seconded. The Board voted to reconsider this Order of an Administrative Law Judge on its own motion.

VIC ROSS'S MASONRY, INC., 11-R3D2-0708 AND 0709

ACTION; Member Lowry moved that the Board reconsider this Order of an Administrative Law Judge. Chairperson Carter seconded. The Board voted to reconsider this Order of an Administrative Law Judge on its own motion.

ORDERS AFTER REMAND:

PRODIGY ELECTRIC, INC., 11-R4D3-0898 AND 0899

ACTION: Member Lowry moved that the Board approve this Order After Remand. Chairperson Carter seconded. The Board voted to approve this Order After Remand.

SUN SWEET DRYERS, 09-R2D1-0530

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

March 21, 2012

Page 7

ACTION: Member Lowry moved that the Board approve this Order After Remand. Chairperson Carter seconded. The Board voted to approve this Order After Remand.

PETITIONS FOR RECONSIDERATION:

(The Division of Occupational Safety & Health and the Employer each has the right to petition the Appeals Board to reconsider a decision or order of an Administrative Law Judge. The Appeals Board must decide to grant or deny each petition.)

COFFMAN SPECIALTIES, INC., 10-R3D3-3532

ACTION: Member Lowry moved that the Board vote to accept the Legal Unit's recommendation to grant this Petition for Reconsideration. Chairperson Carter seconded. The Board voted to accept the Legal Unit's recommendation to grant this Petition for Reconsideration.

DENIALS OF PETITIONS FOR RECONSIDERATION (DRAFTS):

UNDERGROUND CONSTRUCTION CO., INC., 09-R1D3-3518

ACTION: Member Lowry moved that the Board approve this Draft of a Denial of Petition for Reconsideration. Chairperson Carter seconded. The Board voted to approve this Draft of a Denial of Petitions for Reconsideration.

MATTERS PENDING RECONSIDERATION:

A-CO TEMPORARY POWER, 10-R4D1-3110 AND 11-R4D1-9206

ALIKA IKA IKA ENTERPRISES INC., DBA ATTENTION TO DETAILS, INC., 10-R1D2-1191

ALLIED SALES & DISTRIBUTION, INC., 11-R6D2-0480

AARON METALS COMPANY, INC., 09-R1D4-2137 AND 2138

AC TRANSIT, 08-R1D4-0135

AGRI-VALLEY IRRIGATION, INC., 07-R2D5-3785 AND 3786

AGWOOD MILL & LUMBER, INC., 08-R1D5-1068

VERNON MELVIN ANTONSEN & COLLEEN K. ANTONSEN, INDIVIDUALLY DBA ANTONSEN CONSTRUCTION, 06-R2D3-1272

ARMOUR STEEL CO., INC., 08-R2D1-2649 THROUGH 2655

BAY AREA RAPID TRANSIT DISTRICT, 09-R2D2-1219 AND 1221

BOBERG ENGINEERING & CONTRACTING, INC., 06-R3D3-4963

BRUNTON ENTERPRISES, INC. DBA PLAS-TAL MFG. CO., 08-R3D3-3445 AND 3448

BRUNTON ENTERPRISES DBA PLAS-TAL MFG. CO., 09-R6D2-2239 THROUGH 2241

BURBANK RECYCLING, INC., 10-R4D3-0562 AND 0563

C & M FINE PACK, INC. 07-R6D2-4149 THROUGH 4155

C.C. MYERS, INC., 08-R1D1-952 THROUGH 955

CA RASMUSSEN, INC., 08-R4D5-219 AND 220

COMMERCIAL METAL FORMING, 09-R3D1-1592

CONTRA COSTA ELECTRIC, INC., 09-R1D4-3271, 3272 AND 3960

CORONADO IRRIGATION SERVICES, 09-R4D2-0385 THROUGH 0387

CROP PRODUCTION SERVICES, 09-R6D4-4036 THROUGH 4038
DAVIS DEVELOPMENT COMPANY, 10-R3D1-3360 THROUGH 3362
DELTA TRANSPORTATION, INC., 08-R2D1-4999
DESIGN BUILDERS, INC., 08-R4D4-1901
DISTRIBUTION CENTER MANAGEMENT GROUP (DCMG), 11-R3D3-2896
DUININCK BROS., INC., 06-R4D3-2871
DUKE PACIFIC, INC., 08-R3D3-574
EPSILON ELECTRONICS, INC. DBA POWER ACOUSTIK ELECTRONICS,
09-R6D2-2325 THROUGH 2332
EZ MIX, INC., 08-R4D3-1898
FDO INC. DBA GRAND AMERICAN DOORS, 10-R6D2-1215 THROUGH 1219
FORTUNA IRON WORKS, 06-R2D3-4222
GRANITE ROCK COMPANY, 08-R1D3-3675 THROUGH 3687
HOME DEPOT, 10-R3D6-3284
LAND O' LAKES PURINA FEED LLC, 08-R2D4-1843 AND 1844
LIQUIVISION TECHNOLOGY, INC., 08-R2D1-1712 THROUGH 1714
LION RAISINS, INC., 08-R2D5-2253 AND 2254
LOS ANGELES, COUNTY OF, DEPT. OF PUBLIC WORKS, 07-R4D2-2540
MARINE TERMINALS, 08-R6D2-1920
MICHELS CORP. DBA MICHELS PIPELINE CONSTRUCTION, 07-R5D1-4274
MORE GUSTO CATERING DBA EL CHOLO CATERING, 10-R4D1-1298
NIBBI BROTHERS ASSOCIATES, INC., 07-R1D1-2494
ORANGE COUNTY FIRE AUTHORITY, 10-R3D1-3667
OWENS-ILLINOIS GLASS CONTAINER, INC., 09-R1D4-2021 AND 2022
PARAMOUNT FARMS, KING FACILITY, 09-R4D3-0864
PERFORMANCE CONTRACTING GROUP DBA PERFORMANCE CONTRACTING, INC.,
08-R2D1-0025 AND 0026
POUK & STEINLE, INC., 09-R3D3-0491
ROLLED STEEL PRODUCTS CORP., 10-R6D2-4047 AND 4048
JOSH AND CARRIE SALAZAR DBA CJ MANUFACTURING, 09-R6D2-1710
SDCCD – CONTINUING EDUCATION N C CENTER, 11-R3D2-1196
SHEEDY DRAYAGE COMPANY, 06-R1D4-3053 THROUGH 3055
SHERWOOD MECHANICAL, INC., 08-R3D2-4690 THROUGH 4693
SHIMMICK-OBAYASHI, 08-R3D3-5023 THROUGH 5025
SMUD, 08-R2D1-4887 THROUGH 4889
MARTIN J. SOLIS DBA SOLIS FARM LABOR CONTRACTOR,
08-R2D1-3414 THROUGH 3418
McPHERSON ENTERPRISES, INC., 10-R2D5-0995
STAFFCHEX, 10-R4D3-2456 THROUGH 2458
SUNRISE GROWERS FROZ SUN FOODS, 09-R4D3-2850
A. TEICHERT & SON, INC. DBA TEICHERT AGGREGATES, 09-R5D1-2443
TEICHERT & SON, INC. DBA TEICHERT CONSTRUCTION,
05-R2D4-2650 AND 2651
A. TEICHERT & SON, INC. DBA TEICHERT CONSTRUCTION, 09-R4D5-0459 AND 0460

HB PARKCO, 07-R4D2-1730 AND 1731

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

March 21, 2012

Page 9

ACTION: Member Lowry moved that the Board vote to approve this draft Decision After Reconsideration for signature as amended. Chairperson Carter seconded. The Board voted to approve this draft Decision After Reconsideration for signature as amended.

JENSEN PRECAST, 05-R2D1-2377

ACTION: Member Lowry moved that the Board vote to approve this draft Decision After Reconsideration for signature. Chairperson Carter seconded. The Board voted to approve this draft Decision After Reconsideration for signature.

LEGISLATION:

(Discussion of pending legislation which may affect the Board).

ACTION: No report

PENDING LITIGATION:

(If the Division of Occupational Safety & Health or the Employer disagrees with a decision after reconsideration or a denial of a petition for reconsideration, either one or both parties may apply to the California Superior Court for a writ of mandate. The Appeals Board receives legal advice from its Legal Unit and provides policy direction regarding pending litigation.)

SUPERIOR COURT:

1. MCI WORLDCOM, 34-2008-00006043-CU-WM-GDS (DOSH v. OSHAB) (00-440)
2. XL CONSTRUCTION, 34-2009-80000300 (08- 1191/1193)
3. M.C.M. CONSTRUCTION, INC., 34-2009-80000378 (09-9230)
4. WEBCOR BUILDER, INC., 34-2010-80000439 (06-R1D1-3030/3032)
5. WPCS INTERNATIONAL SUISUN CITY, INC., 34-2010-80000430 (09- 9280/9281)
6. GRANITE CONSTRUCTION CO., INC., (DOSH V OSHAB) 34-2010-800006047 (07-R5D1-3611)
7. CLARK PACIFIC, A GENERAL CALIFORNIA PARTNERSHIP, 34-2010-80000640 (08-R2D1-0027 THROUGH 0030)
8. SMUD, 34-2010-80000723 (08-R2D1-4887)
9. BAY AREA RAPID TRANSIT DISTRICT, 34-2011-80000819 (08-R1D1-5170)

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH APPEALS BOARD

Minutes of the Public Meeting and Closed Session

March 21, 2012

Page 10

10. MASCON, INC., 34-2011-80000820 (08-R2D1-4178 AND 4279)
11. CLARK PACIFIC DBA PACIFIC EMBEDDED PRODUCTS, 34-2011-80000965 (10-0188~0191)
12. GUILLAUME GRAPEVINE NURSERY, INC., 34-2011-800001010 (08-R2D1-3273)
13. CA PRISON INDUSTRY AUTHORITY, CIV 1105778 (09-R1D5-2459 THROUGH 2461)
14. FLATIRON CONSTRUCTION CORP, 34-2012-800001029 (10-R4D1-2789)
15. HOLLANDER HOME FASHION, BS-135444 (10-3704)
16. SECA EQUIPMENT REMOVAL & DISMANTLING, INC., 12CV01039 (07-0275)

ACTION: Chief Counsel Mojcher reported on the status of this pending litigation.

COURT OF APPEAL

1. JERLANE, INC., D060844 (2007-00056381) (01-4344 and 4345)

PERSONNEL:

(Issues regarding staff)

ACTION: Executive Officer Wimberly provided updates on personnel matters.

The Closed Session adjourned at 1:30 p.m. and the Board returned to the Public Meeting. The Appeals Board incorporated by reference its ACTIONS in the Closed Session, as indicated above. With no further business, the meeting was adjourned at 1:31 p.m.